

STATE OF ILLINOIS
LIQUOR CONTROL COMMISSION

In the Matter of:

City Beverage – Markham, LLC
d/b/a City Beverage Markham
2064 W. 167th St.
Markham, IL 60428

In the Matter of:

City Beverage – Markham, LLC
d/b/a City Beverage – Arlington Heights
1401 E. Algonquin Rd.
Arlington Heights, IL 60005

Case No. 12-CCH-01

(Consolidated Case Nos. 12 C 100216,
100217, 100218, 100219, 100220, 100221,
100222, and 100223)

In the Matter of:

Chicago Distributing LLC
d/b/a City Beverage – Chicago
4841 S. California Ave.
Chicago, IL 60632

In the Matter of:

City Beverage LLC
d/b/a City Beverage
1105 E. Lafayette Ave.
Bloomington, IL 61701

**ILLINOIS LIQUOR CONTROL COMMISSION
ORDER REGARDING REQUESTS FOR ADMISSION**

On September 10, 2012, the Commission received a letter from counsel for Wholesaler Equity Development Corporation and City Beverage – Illinois LLC and their affiliates (“Respondents”). The September 10, 2012 letter, which the Commission deems a motion, requests that the Commission enter an order requiring the Illinois Liquor Control Commission Legal Division (“Legal Division”) to respond to Respondents’ Requests to Admit to Legal Division (“Requests to Admit”). The Requests to Admit were attached to Respondents’ September 10, 2012 letter, and are attached hereto as Exhibit A. (When this Order refers to certain particular Requests

to Admit by number, it is referring to the request as numbered in Respondents' Requests to Admit). On September 11, 2012, the Commission received the Legal Division's Response to Respondents' Motion For Leave to Serve Requests to Admit.

The Commission issues the following Order with regard to Respondents' motion to serve Requests to Admit on the Legal Division:

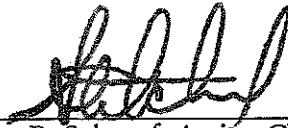
1. Respondents' request is granted in part and denied in part, as follows:
 - a. The Legal Division shall respond to Request to Admit Nos. 1, 2, and 3. (The Commission notes that the Legal Division has set forth a response to these requests in its Response to Respondents' Motion).
 - b. The Legal Division shall respond to Request to Admit No. 4.
 - c. The Legal Division need not respond to Request to Admit Nos. 5, 6, and 7 (although the Commission notes from the Legal Division's Response to Respondents' Motion that the Legal Division is willing to stipulate to Request to Admit No. 5).
 - d. The Legal Division shall respond to the first sentence in Request to Admit No. 8. In lieu of responding to the second sentence of Request to Admit No. 8, the Legal Division can attach the identified letter to its Response and admit its authenticity. The Legal Division need not respond to the third sentence of Request to Admit No. 8.
 - e. The Legal Division shall respond to Request to Admit No. 9.
 - f. The Legal Division need not respond to Request to Admit Nos. 10, 11, 12, 13, and 14. (The Commission notes that at the August 8, 2012 pre-hearing conference Respondents stated that they intended to call Mr. O'Donaghue to testify as a witness at the hearing).
 - g. The Legal Division shall respond to the first two sentences in Request to Admit No. 15, but need not respond to the last sentence in that Request.

h. With respect to Request to Admit No. 16, the Legal Division shall respond to the request to the extent it requests an admission that "the ILCC conducted the distributor pre-licensing investigation of A-B LLC's Arlington Heights location," and shall attach the entire investigative report as an exhibit to its response and attest to its authenticity. The Legal Division need not respond to the remainder of Request to Admit No. 16.

2. The Legal Division shall respond to the Requests to Admit as ordered above by Tuesday, September 18, 2012.

ENTERED by the Illinois Liquor Control Commission at Chicago, Illinois, on August 8, 2012.

ILLINOIS LIQUOR CONTROL COMMISSION



Stephen B. Schnorf, Acting Chairman

ATTEST:



Allyson Reboyras, Secretary